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PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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|   |                             |                               |                 |
|---|-----------------------------|-------------------------------|-----------------|
| <b>TRANSMITTAL FORM</b><br>(to be used for all correspondence after initial filing) | <b>Application Number</b>   | 09/872,635                    |                 |
|   | <b>Filing Date</b>          | May 31, 2001                  |                 |
|   | <b>First Named Inventor</b> | Athey, Kevin                  |                 |
|   | <b>Group Art Unit</b>       | 2183                          |                 |
|   | <b>Examiner Name</b>        |                               |                 |
| <b>Total Number of Pages in This Submission</b>                                     | 19                          | <b>Attorney Docket Number</b> | 017887-009100US |

| ENCLOSURES (check all that apply)   |  |  |
|---|--|--|
| <input checked="" type="checkbox"/> Fee Transmittal Form<br><br><input type="checkbox"/> Fee Attached<br><br><input type="checkbox"/> Amendment / Response<br><br><input type="checkbox"/> After Final<br><br><input type="checkbox"/> Affidavits/declaration(s)<br><br><input checked="" type="checkbox"/> Extension of Time Request - 1 (one) month<br><br><input type="checkbox"/> Express Abandonment Request<br><br><input type="checkbox"/> Information Disclosure Statement<br><br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><input checked="" type="checkbox"/> Response to Missing Parts/ Incomplete Application<br><input checked="" type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input checked="" type="checkbox"/> Assignment Papers (for an Application)<br><br><input type="checkbox"/> Drawing(s)<br><br><input type="checkbox"/> Licensing-related Papers<br><br><input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition<br><input type="checkbox"/> Petition to Convert to a Provisional Application<br><br><input checked="" type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address<br><br><input type="checkbox"/> Terminal Disclaimer<br><input type="checkbox"/> Request for Refund<br><br><input type="checkbox"/> CD, Number of CD(s) | <input type="checkbox"/> After Allowance Communication to Group<br><br><input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences<br><br><input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)<br><br><input type="checkbox"/> Proprietary Information<br><br><input type="checkbox"/> Status Letter<br><br><input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):<br><br>Return Postcard Declaration<br>Certificate Under 37 CFR § 3.73(b)<br>Copy of Notice to File Missing Parts ADS |
| <b>Remarks</b>  |  | The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.   |

| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT |   |
|--|---|
| <b>Firm and Individual name</b>            | Townsend and Townsend and Crew LLP<br>Brian N. Young<br>Reg. No. 48,602 |
| <b>Signature</b>                           |   |
| <b>Date</b>                                | October 30, 2001  |

| CERTIFICATE OF MAILING   |                              |
|--|------------------------------|
| I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date:<br>October 30, 2001 |                              |
| <b>Typed or printed name</b>   | Lois M. Simón                |
| <b>Signature</b>   | <br>Date<br>October 30, 2001 |

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.  
SF 1286417 v1

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# FEE TRANSMITTAL for FY 2001

JAN 07 2002

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$ ) 1164

## Complete If Known

Application Number 09/872,635  
Filing Date May 31, 2001  
First Named Inventor Athey, Kevin  
Examiner Name  
Group Art Unit 2183  
Attorney Docket No. 017887-009100US

## METHOD OF PAYMENT

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit  
Account  
Number

20-1430

Deposit  
Account  
Name

Townsend and Townsend and Crew LLP

- ☒ Charge Any Additional Fee Required  
Under 37 CFR 1.16 and 1.17  
☐ Applicant claims small entity status.  
See 37 CFR 1.27

2. ☐ Payment Enclosed:

☐ Check ☐ Credit card ☐ Money  
Order ☐ Other

## FEE CALCULATION

### 1. BASIC FILING FEE

| Large<br>Fee<br>Code | Entity<br>Fee<br>(\$) | Small<br>Fee<br>Code | Entity<br>Fee<br>(\$) | Fee Description        | Fee Paid |
|----------------------|-----------------------|----------------------|-----------------------|------------------------|----------|
| 101                  | 740                   | 201                  | 370                   | Utility filing fee     | 740      |
| 106                  | 330                   | 206                  | 165                   | Design filing fee      |          |
| 107                  | 510                   | 207                  | 255                   | Plant filing fee       |          |
| 108                  | 740                   | 208                  | 370                   | Reissue filing fee     |          |
| 114                  | 160                   | 214                  | 80                    | Provisional filing fee |          |

SUBTOTAL (1)

(\$)740

### 2. EXTRA CLAIM FEES

| Total Claims                     | Extra<br>Claims | Fee from<br>below | Fee Paid |
|----------------------------------|-----------------|-------------------|----------|
| 28 -20** = 8                     | X               | \$18              | \$144    |
| Independent<br>Claims 3 -3** = 0 | X               | \$84              | \$0      |
| Multiple<br>Dependent            | X               |                   |          |

| Large<br>Fee<br>Code | Entity<br>Fee<br>(\$) | Small<br>Fee<br>Code | Entity<br>Fee<br>(\$) | Fee Description  |
|----------------------|-----------------------|----------------------|-----------------------|--|
| 103                  | 18                    | 203                  | 9                     | Claims in excess of 20                                     |
| 102                  | 84                    | 202                  | 42                    | Independent claims in excess of 3                          |
| 104                  | 280                   | 204                  | 140                   | Multiple dependent claim, if not paid                      |
| 109                  | 84                    | 209                  | 42                    | ** Reissue independent claims over original patent         |
| 110                  | 18                    | 210                  | 9                     | ** Reissue claims in excess of 20 and over original patent |

SUBTOTAL (2)

(\$)144

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

| Large<br>Fee<br>Code | Entity<br>Fee<br>(\$) | Small<br>Fee<br>Code | Entity<br>Fee<br>(\$) | Fee Description  | Fee Paid |
|----------------------|-----------------------|----------------------|-----------------------|--|----------|
| 105                  | 130                   | 205                  | 65                    | Surcharge - late filing fee or oath  | 130      |
| 127                  | 50                    | 227                  | 25                    | Surcharge - late provisional filing fee or cover sheet.                    |          |
| 139                  | 130                   | 139                  | 130                   | Non-English specification  |          |
| 147                  | 2,520                 | 147                  | 2,520                 | For filing a request for reexamination                                     |          |
| 112                  | 920*                  | 112                  | 920*                  | Requesting publication of SIR prior to Examiner action                     |          |
| 113                  | 1,840*                | 113                  | 1,840*                | Requesting publication of SIR after Examiner action                        |          |
| 115                  | 110                   | 215                  | 55                    | Extension for reply within first month                                     | 110      |
| 116                  | 400                   | 216                  | 200                   | Extension for reply within second month                                    |          |
| 117                  | 920                   | 217                  | 460                   | Extension for reply within third month                                     |          |
| 118                  | 1,440                 | 218                  | 720                   | Extension for reply within fourth month                                    |          |
| 128                  | 1,960                 | 228                  | 980                   | Extension for reply within fifth month                                     |          |
| 119                  | 320                   | 219                  | 160                   | Notice of Appeal   |          |
| 120                  | 320                   | 220                  | 160                   | Filing a brief in support of an appeal                                     |          |
| 121                  | 280                   | 221                  | 140                   | Request for oral hearing   |          |
| 138                  | 1,510                 | 138                  | 1,510                 | Petition to institute a public use proceeding                              |          |
| 140                  | 110                   | 240                  | 55                    | Petition to revive - unavoidable   |          |
| 141                  | 1,280                 | 241                  | 640                   | Petition to revive - unintentional   |          |
| 142                  | 1,280                 | 242                  | 640                   | Utility issue fee (or reissue)   |          |
| 143                  | 460                   | 243                  | 230                   | Design issue fee   |          |
| 144                  | 620                   | 244                  | 310                   | Plant issue fee  |          |
| 122                  | 130                   | 122                  | 130                   | Petitions to the Commissioner  |          |
| 123                  | 50                    | 123                  | 50                    | Petitions related to provisional applications                              |          |
| 126                  | 180                   | 126                  | 180                   | Submission of Information Disclosure Stmt                                  |          |
| 581                  | 40                    | 581                  | 40                    | Recording each patent assignment per property (times number of properties) | 40       |
| 146                  | 740                   | 246                  | 370                   | Filing a submission after final rejection (37 CFR § 1.129(a))              |          |
| 149                  | 740                   | 249                  | 370                   | For each additional invention to be examined (37 CFR § 1.129(b))           |          |
| 179                  | 740                   | 279                  | 370                   | Request for Continued Examination (RCE)                                    |          |
| 169                  | 900                   | 169                  | 900                   | Request for expedited examination of a design application                  |          |

Other fee (specify)

The Commissioner is authorized to charge any additional fees to the above noted Deposit Account.

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$)280

## SUBMITTED BY

Name (Print/Type)

Brian N. Young

Registration No. (Attorney/Agent)

48,602

Telephone

415-576-0200

Signature

*Brian N. Young*

Date

October 30, 2001

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:

PATENT  
Attorney Docket No.: 017887-009100US

Box Missing Parts  
Assistant Commissioner for Patents  
Washington, D.C. 20231

On October 30, 2001

TOWNSEND and TOWNSEND and CREW LLP

By: *Lois M. Simon*  
Lois M. Simon

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

Kevin Athey, et al.

Application No.: 09/872,635

Filed: May 31, 2001

For: CENTRALIZED FEED MANAGER

Examiner:

Art Unit: 2183

TRANSMITTAL LETTER – RESPONSE  
TO NOTICE OF MISSING PARTS

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

Applicant submits this response pursuant to the Notice to File Missing Parts of Nonprovisional Application dated August 7, 2001 in the above-captioned application. An extension for reply within the first month is requested thereby extending the date to respond to and including November 7, 2001. Enclosed are the following to be made of record in the above-identified application:

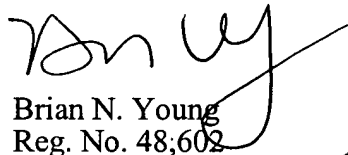
- 1) Executed Declaration
- 2) Power of Attorney and Certificate of Assignee Under 37 C.F.R. § 3.73(b)
- 3) Copy of Notice of Missing Parts

**COPY OF PAPERS  
ORIGINALLY FILED**



Authorization is given to the Commissioner to charge the statutory basic filing fee and surcharge for late filing of declaration to our deposit account in accordance with the attached Fee Transmittal.

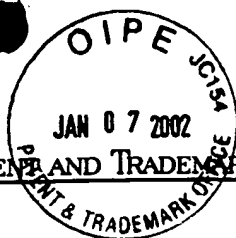
Respectfully submitted,

  
Brian N. Young  
Reg. No. 48,602

**Customer No. 20350**

TOWNSEND and TOWNSEND and CREW LLP  
Two Embarcadero Center, 8<sup>th</sup> Floor  
San Francisco, California 94111-3834  
Tel: 415-576-0200  
Fax: 415 576-0300  
BNY:ls

SF 1286378 v1



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

| APPLICATION NUMBER | FILING/RECEIPT DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|---------------------|-----------------------|------------------------|
| 09/872,635         | 05/31/2001          | Kevin Athey           | 17887009100            |

CONFIRMATION NO. 1713

20350  
TOWNSEND AND TOWNSEND AND CREW  
TWO EMBARCADERO CENTER  
EIGHTH FLOOR  
SAN FRANCISCO, CA 94111-3834

## FORMALITIES LETTER



\*OC000000006393456\*

Date Mailed: 08/07/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

01/11/2002 BABRAHA1 00000085 201430 09872635

FILED UNDER 37 CFR 1.53(b)

01 FC:101 740.00 CH  
02 FC:105 130.00 CH  
03 FC:103 144.00 CH

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

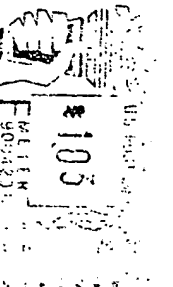
- The statutory basic filing fee is missing.  
*Applicant must submit \$ 710 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).*
- Total additional claim fee(s) for this application is \$144.  
    ■ \$144 for 8 total claims over 20.
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 984.**

*A copy of this notice **MUST** be returned with the reply.*

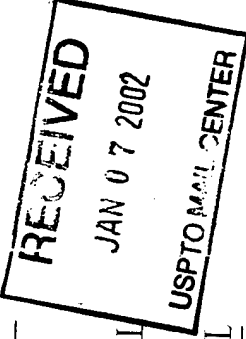
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



017887-009100



TOWNSEND  
TOWNSEND  
CREW  
LLP

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Eighth Floor  
San Francisco  
California 94111 3834

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Washington, D.C. 20231